

Montgomery Planning

12500 ARDENNES

SKETCH PLAN AMENDMENT 32018020A, SITE PLAN 820240060, FOREST CONSERVATION PLAN F20240250



Request to amend the Sketch Plan to modify the type of affordable units, public benefit categories, architecture, site design, layout and minimum public open space; and to approve a Site Plan and Forest Conservation Plan to allow construction of a 198,718 square-foot multifamily building with 213 affordable units including 25% MPDUs.

Nos. 32018020A, 820240060,
F20240250
Completed: 2-9-2024

MCPB
Item No.
2-22-2024

Montgomery County
Planning Board
2425 Reddie Drive, Floor 14
Wheaton, MD 20902

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LOCATION/ADDRESS

12500 Ardennes Avenue

MASTER PLAN

2009 *Twinbrook Sector Plan*

ZONE

CR-2.0, C-1.5, R-2.0, H-145T

PROPERTY SIZE

1.73-acre tract

APPLICANT

Twinbrook Ardennes Owner LLC

ACCEPTANCE DATE

November 1, 2023

REVIEW BASIS

Chapters 22A, 59

Summary:

- Staff recommends approval with conditions of the Sketch Plan Amendment, Site Plan, and Forest Conservation Plan.
- On October 21, 2019, the Planning Board approved Sketch Plan No. 320180200 by Resolution No. 19-096 for up to 198,718 square feet of residential development including 15% Moderately Priced Dwelling Units (MPDUs) and 10% Work Force Housing Units (WFHUs).
- On August 14, 2020, the Planning Board approved Site Plan 820200080 by Resolution No. 20-054 for up to 203 units, including 15% MPDUs and 10% WFHUs. The Site Plan was not certified and has expired, so a new Site Plan application is part of this review.
- The Applications propose a residential building with up to 213 units. The Project is planned as 100% affordable, with all low-income tax credit units and 25% of the units designated as MPDUs.
- The Forest Conversation Plan proposes removal of the National Champion Crabapple tree, which is in poor health.
- Staff has not received any correspondence as of the report posting date.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

SKETCH PLAN AMENDMENT 32018020A

Staff recommends approval of 12500 Ardennes, Sketch Plan No. 32018020A for up to 198,718 square feet of development on 1.73 acres, zoned CR-2.0, C-1.5, R-2.0, H-145T, subject to the *Twinbrook Sector Plan*. The following site development elements shown on the latest electronic version of Sketch Plan No. 32018020A, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the conditions below.

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan.

This approval is subject to the following conditions, which supersede all prior conditions of Sketch Plan No. 320180200 approval:

1. Density

The Sketch Plan is limited to a maximum of 198,718 square feet of residential development, including 25% Moderately Priced Dwelling Units (MPDUs) on the Subject Property. The maximum number and distribution of residential dwelling units will be determined at Site Plan.

2. Height

The development is limited to a maximum height of 100 feet, as measured from the building height measuring point illustrated on the Certified Site Plan.

3. Public Open Space

The Applicant must provide a minimum of 2,837 square feet (5% of Site Area) as Public Open Space.

4. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100. The requirements of Division 59.4.7.1 and the CR Zone Incentive Density Implementation Guidelines must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a) Transit Proximity, achieved through Property's location within ¼ mile of the Twinbrook Metro Station (level 1).
- b) Diversity of Uses and Activities, achieved by providing 25% of the residential units as MPDUs.

5. Future Coordination for Site Plan

In addition to any other requirements for Site Plans under Chapter 59, the following must be addressed in the Site Plan application:

- a) Dedication of five (5) feet on Twinbrook Parkway.
- b) Design of the Public Open Space that should be accessible and inviting to the public.
- c) Building amenities to help activate the public open space.
- d) Appropriate architectural treatments to the southern facade.
- e) Prominent architectural treatment of the northeastern corner.
- f) Safe and efficient vehicular entry to the parking garage.
- g) Traffic Demand Management Plan with the Planning Board and MCDOT.
- h) ADA compliance.
- i) Bike lanes on Twinbrook Parkway or payment in lieu.
- j) High quality bicycle parking, as required by the Zoning Code and described in the Planning Department's Bicycle Parking Guidelines (pages 13 - 15).

SITE PLAN 820240060

Staff recommends approval of Site Plan No. 820240060, for the construction of a 198,718-square-foot multifamily building with 213 units including 25% MPDUs. The development must comply with the binding elements and conditions of approval for Sketch Plan No. 32018020A, reviewed concurrently with this Application. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.¹

DENSITY, HEIGHT & HOUSING

1. Density

The Site Plan is limited to a maximum of 198,718 square feet of residential uses, for up to 213 multi-family dwelling units.

2. Height

The development is limited to a maximum height of 100 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

OPEN SPACE, FACILITIES AND AMENITIES

3. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 2,837 square feet of public open space (5% of Site area) on-site.
- b) The trees along Twinbrook Parkway must be planted according to the 1992 *Bethesda Streetscape Standards*.
- c) Before the issuance of the final use and occupancy certificate for the residential development:
 - i) all public use space on the Subject Property must be completed; and
 - ii) the Applicant must construct the streetscape improvements.
- d) Within one growing season after issuance of the final use and occupancy certificate, all landscaping must be installed.
- e) Utilities along the Property's frontage on Ardennes Avenue and Twinbrook Parkway must be undergrounded.

4. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and

¹ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

requirements of the Zoning Ordinance and the *CR Zone Incentive Density Implementation Guidelines* for each one.

- a) Transit Proximity for location within one-quarter mile of the Twinbrook Metrorail (level 1) Station.
- b) Diversity of Uses and Activities
 - i. Affordable Housing/MPDUs –
 - a. The development must provide 25 percent MPDUs, or MCDHCA -approved equivalent, consistent with the requirements of Chapter 25A and the applicable Master Plan. The Applicant is receiving a 32 percent density bonus for providing 25 percent MPDUs or MCDHCA-approved equivalent. The remaining units must be subject to government regulation or binding agreement for at least 15 years serving low- and moderate- income housing which is exempt from paying a development impact tax.
 - b. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
 - c. The Planning Board has reviewed and accepts the recommendations of DHCA in its letter dated January 22, 2024, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.

5. Recreation Facilities

The Applicant must provide the required recreation facilities as shown on the Certified Site Plan (CSP). The CSP must include an exhibit delineating location and detail of recreation facilities, where appropriate, in a manner that is clear and corresponds to the posted surety and maintenance agreement.

6. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to plaza elements including seating and landscaping.

ENVIRONMENT

7. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated April 1, 2020 (and reconfirmed by email dated January 16, 2024) and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

TRANSPORTATION & CIRCULATION/ADEQUATE PUBLIC FACILITIES (APF)

8. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated January 8, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated January 31, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of approval.
- c) Before issuance of any Right-of-Way permit, the applicant must:
 - i) Make a payment of \$48,742.15 to MCDOT CIP #507596 in lieu of constructing the bicycle frontage improvement. If CIP #507596 is no longer available, the Applicant’s payment must go to an appropriate alternative CIP to construct nearby bikeway infrastructure as determined by Planning Staff and MCDOT; and
 - ii) Submit a Traffic Signal Plan to MCDOT.
- d) Before issuance of any Building Permit, the Applicant must:
 - i) Execute a deed of dedication for a total of 60 feet from the centerline along the Twinbrook Parkway Property frontage. The deed must be reviewed and approved by the Commission’s Office of General Counsel and the Montgomery County Department of Permitting Services (DPS) and must be recorded in the Land Records of Montgomery County;
 - ii) Obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT); and
 - iii) Receive approval of a Traffic Signal Plan by MCDOT.
- e) Before issuance of the first Use and Occupancy Certificate (excluding core and shell), and at no cost to the County, the Applicant must:
 - i) Relocate the Traffic Signal Cabinet to a location shown on the Certified Site Plan, or as otherwise approved by MCDOT and Planning Staff;
 - ii) Provide a Traffic Signal Cabinet easement to the County as necessary;
 - iii) Ensure that the traffic signal is functional; and
 - iv) Ensure the Traffic Signal Cabinet is easily accessible by MCDOT for maintenance.

9. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 95 long-term and 5 short-term bicycle parking spaces.

- b) The long-term spaces must be in a secured, well-lit bicycle room in a parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide one bicycle repair station.
- d) The Applicant must provide the following master planned pedestrian and bicycle facilities, the exact location, design and construction of which must comply with requirements of the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations, before any right-of-way permit.
 - i) Twinbrook Parkway: eight-foot-wide sidewalk with five-foot-wide buffer from traffic.
 - ii) Ardennes Avenue: eight-foot-wide sidewalk with seven-foot-wide buffer from traffic.

10. Offsite Improvements/LATR

- a) Before issuance of any above ground building permit, the following off-site improvements must be permitted and bonded (to ensure construction) pursuant to MCDOT requirements:
 - i) Widening the median to 6-feet on the south leg of the Twinbrook Parkway/Ardennes Avenue intersection to provide a pedestrian refuge.
- b) If, at the time the Applicant submits for permits to construct the required LATR Off-Site Improvement, the improvement is no longer necessary or desirable, because: i) it has been constructed or is under construction by another applicant or as part of a capital improvement project by a government agency, or, ii) the applicable master plan has changed and no longer requires or suggests the improvement, the Applicant can propose an alternative LATR Off-Site Improvement from the priority list of improvements provided in the subject Staff Report that is of similar value, and this alternative improvement, if reviewed and approved by Planning Staff, can be substituted and shown on a revised Certified Site Plan.

11. APF Validity

The Adequate Public Facilities Review (APF) will remain valid for five (5) years from the initiation date in Section 50.4.3.J.5 of the County Code.

12. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated May 20, 2020 (updated January 10, 2024) and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

SITE PLAN

13. Lighting

- a) Before Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by street lights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

14. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements only for facilities located on the Property (not in the public r.o.w.), including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, retaining walls, fences, railings and private utilities. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

15. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before the approval of the Certified Site Plan.

16. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add the following notes:
 - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
 - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
 - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
- c) Include approved Fire and Rescue Access Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) On Sheet LL-011, Recreation Guidelines Exhibit:
 - i) Remove bikeway from proposed recreation facility list and add a grilling area; and
 - ii) Demonstrate that the indoor community space and the interior courtyard meet the square footage requirement in the M-NCPPC Recreation Guidelines.

FOREST CONSERVATION PLAN F20240250

Staff recommends approval of Forest Conservation Plan No. F20240250, to replace the existing commercial development with the proposed residential development, subject to the following conditions:

1. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.

2. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
3. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the certified Final Forest Conservation Plan.
4. Before the start of any demolition, clearing, grading, or construction for this development Application, whichever comes first, the Applicant must:
 - a) Record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Lower Rock Creek watershed or Priority Area to satisfy the reforestation requirement for a total of 0.23 acres of mitigation credit. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Lower Rock Creek watershed or Priority Area or by making a fee-in-lieu payment to M-NCPPC if mitigation credits are not available at any bank.
 - b) Execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for all forest planting areas, mitigation tree plantings, including variance tree mitigation plantings, and landscape plantings credited toward meeting the requirements of the FCP.
 - c) Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the variance mitigation trees required for meeting the requirements of the FCP.
5. Within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the variance tree mitigation plantings on the Subject Property as shown on the approved FCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.

SECTION 2: SITE DESCRIPTION

VICINITY

The Subject Property (“Subject Property” or “Property”- outlined in red in Figure 1 below) is described as Lot 3, Block A, Spring Lake Park Halpine and located at 12500 Ardennes Avenue in Rockville, at the southwest corner of the intersection of Ardennes Avenue and Twinbrook Parkway. The Subject Property is within a quarter of a mile of the Twinbrook Metro Station, and there are Ride On bus stops located just north of the site along Twinbrook Parkway and to the northwest along Ardennes Avenue. The Property is surrounded by the City of Rockville along the north, west, and part of the southern property line.

To the north, across Ardennes Avenue, the Subject Property confronts Twinbrook Place, an office building in the City of Rockville. To the east, across Twinbrook Parkway, is United States Pharmacopeia, an office development. The Subject Property is adjacent to an Exxon gas station to the south. To the west and southwest is The Alaire, a mixed-use development which is part of the Twinbrook Station project, in the City of Rockville.



Figure 1: Vicinity Map (Property outlined in red)

PROPERTY DESCRIPTION

The Property is comprised of approximately 75,272 square feet (1.73 acres) of tract area, which is the basis for density calculation, and approximately 57,240 square feet (1.32 acres) of Site area and is zoned CR-2.0, C-1.5, R-2.0, H-145T. The Property currently has a 21,700 square foot one-story office building. A driveway from Ardennes Avenue provides vehicular access to the surface parking lot on the west side of the building, and unbuffered sidewalks are present along both Property frontages.

There is a twelve (12) foot grade change from the southeast corner to the northeast corner of the Property. While there is no forest or other environmental features on the Property, the National Champion Southern Crabapple (*Malus angustifolia*) is located on the eastern side of the Property along Twinbrook Parkway, but the tree is in poor health (Figure 3).



Figure 2: Subject Property



Figure 3: National Champion Crabapple Tree

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

SKETCH PLAN 320180200

The Planning Board approved Sketch Plan No. 320180200 by resolution dated October 21, 2019 (MCPB No. 19-096) for a residential development with up to 198,718 square feet, including 15% Moderately Priced Dwelling Units (MPDUs) and 10% Work Force Housing Units (WFHU).

SITE PLAN 820200080

The Planning Board approved Site Plan No. 820200080 (“Prior Site Plan”) by resolution dated August 14, 2020 (MCPB No. 20-054), for construction of a residential development with up to 198,718 square feet (203 units) including 15% Moderately Priced Dwelling Units (MPDUs) and 10% Work Force Housing Units (WFHU). A Certified Site Plan was never submitted and, pursuant to Section 59.7.3.4.H.1, the approval expired after two years, in August 2022.

PROPOSAL

Twinbrook Ardennes Owner LLC (the “Applicant”) acquired the Property in 2023 and requests approval of a Sketch Plan Amendment, Site Plan, and Forest Conservation Plan to allow construction of a residential building with up to 213 multi-family units and associated open space and amenities (“Project.”) The Project is proposed as 100% affordable, with all low-income tax credit units. Twenty five percent of the units will be designated as MPDUs, and the rest will qualify under the Maryland Department of Housing and Community Development requirements. The Project is planned as a blended Area Median Income (AMI) product which anticipates a combination of occupants for 60% blended AMI. Rental qualification will be a range of approximately 40 – 80% AMI qualified renters.

To expedite the review of this Project, the Applicant has tried, to the greatest extent possible, to maintain the site design for the previously approved, but expired, Site Plan (No. 820200080).

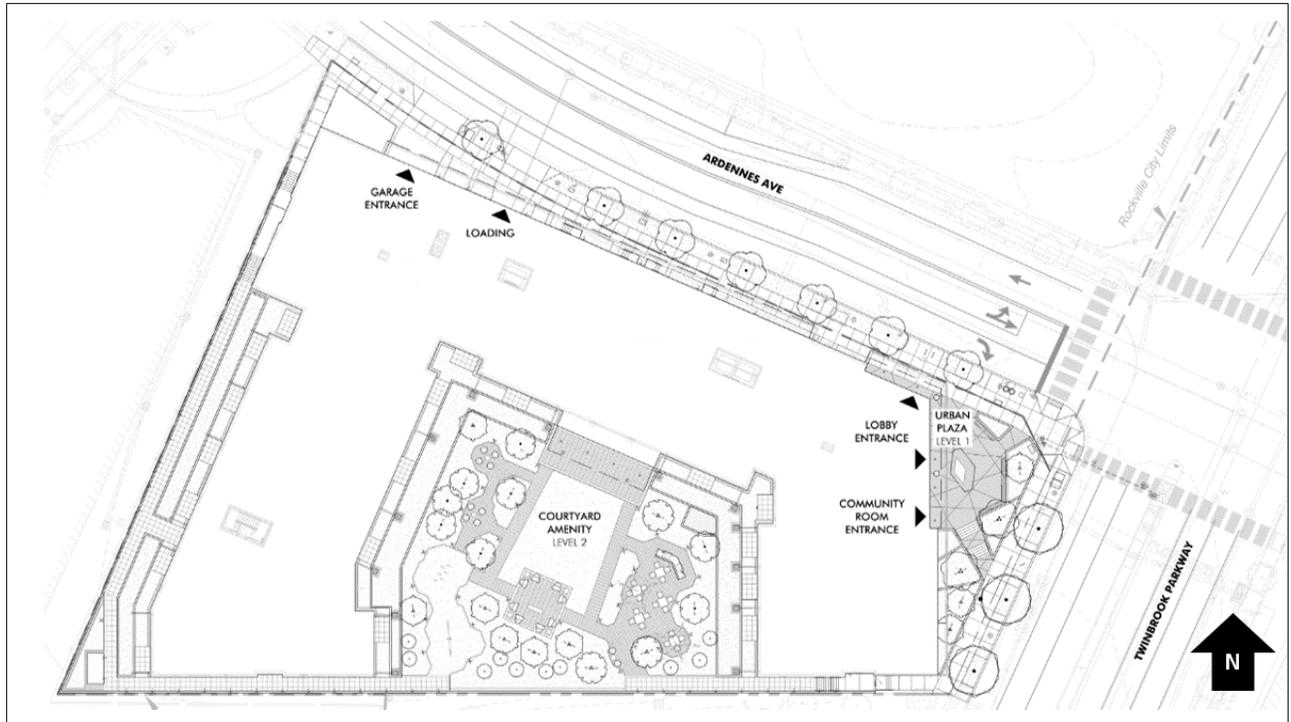


Figure 4: Site Plan

SKETCH PLAN AMENDMENT

The changes proposed in the Sketch Plan Amendment (“Amendment”) primarily relate to the Applicant’s decision to provide additional affordable housing. The Amendment increases the percentage of MPDUs from 15% to 25% and eliminates the previously approved 10% Work Force Housing Units (WFHU). The Amendment eliminates public benefit categories since 25% MPDUs satisfies the public benefit requirement. In addition, the Amendment reflects relatively minor changes to architecture, site design, layout and public open space.

BUILDING/ARCHITECTURE

The primary entrance and lobby of the proposed building will be located along Ardennes Avenue, near the intersection with Twinbrook Parkway. Lobby and residential amenity areas and ground level residences with direct entrances from Ardennes Avenue will help activate the street. In addition, the Project includes a proposed community space which is accessible by both residents of the Property and members of the public (during restricted hours). The community space is intended to provide a physical space for local nonprofits that can serve both the residents of the building and the surrounding community.

The proposed building is “U” shaped, with a private amenity courtyard for residents on the second floor. One floor of structured parking is proposed and wrapped with residential units and amenity spaces where it faces the public realm. The proposed building will be a maximum of 100 feet in height.

The Project architecture is described in the Statement of Justification as follows:

The building composition plays with several design volumes that both accentuate and integrate the buildings architectural features and break up the massing. Distinguishable planes at varying depths highlight the various levels of the building both vertically and horizontally. Combined with multiple materials/textures/color the building provides an exciting addition to this corner.



Figure 5: Northeast View (from intersection of Ardennes Avenue and Twinbrook Parkway)



Figure 6: Southeast View (From Twinbrook Parkway)



Figure 7: Northwest View (From Ardennes Avenue)

OPEN SPACE

The Applicant is proposing a minimum of 2,838 square feet of open space. Similar to the Prior Site Plan, the public open space is proposed to be located primarily at the intersection of Twinbrook Parkway and Ardennes Avenue. An urban plaza is proposed at the northeast corner of the Site, at the intersection of Ardennes Avenue and Twinbrook Parkway. The plaza includes a mixture of hardscape and greenspace and will provide a transition from the busy intersection. While access from adjacent sidewalks is facilitated and encouraged, the site elements provide buffering from passing traffic while negotiating the necessary change in grade.

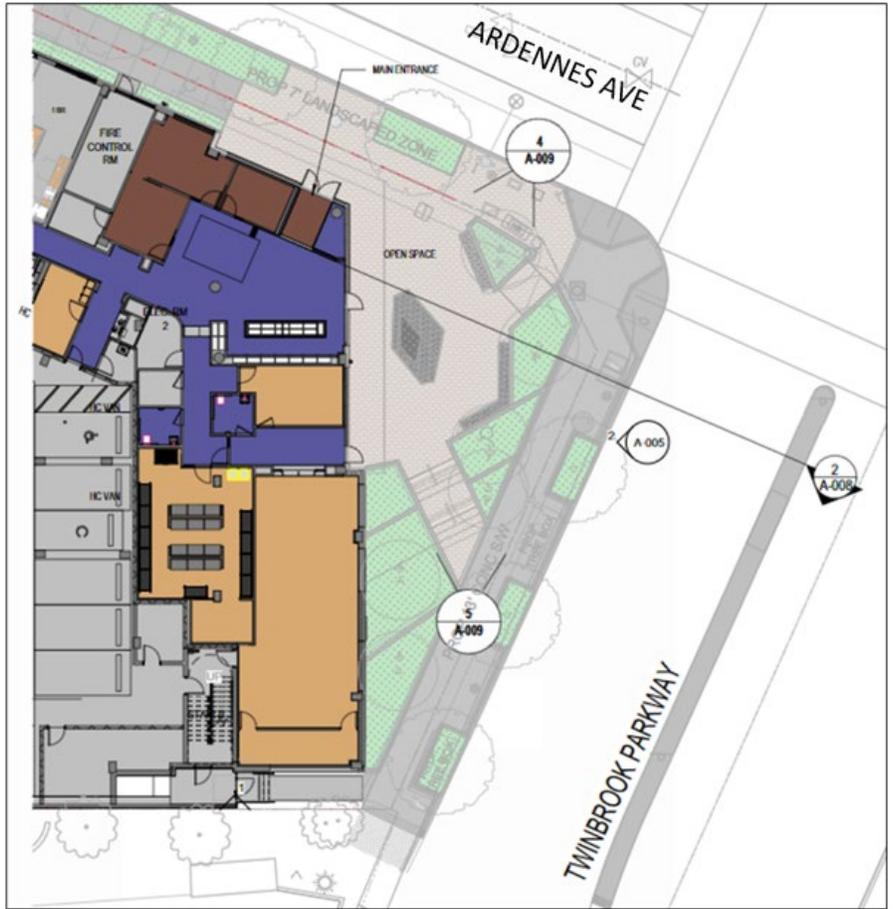


Figure 8: Illustrative view of open space



Figure 9: Illustrative View of Open Space Plaza
 (From Ardenne Avenue/Twinbrook Parkway Intersection Facing Southwest)

TRANSPORTATION

Vehicular access to the Subject Property will be made via Ardennes Avenue utilizing two driveways located near the northwest corner of the site. The western driveway provides access to the parking garage, and the eastern driveway provides access to the loading area. Ardennes Avenue is owned and maintained by the City of Rockville.

Pedestrian access to the site is provided through improved, buffered sidewalks along Ardennes Avenue and Twinbrook Parkway, which is owned and maintained by MCDOT.

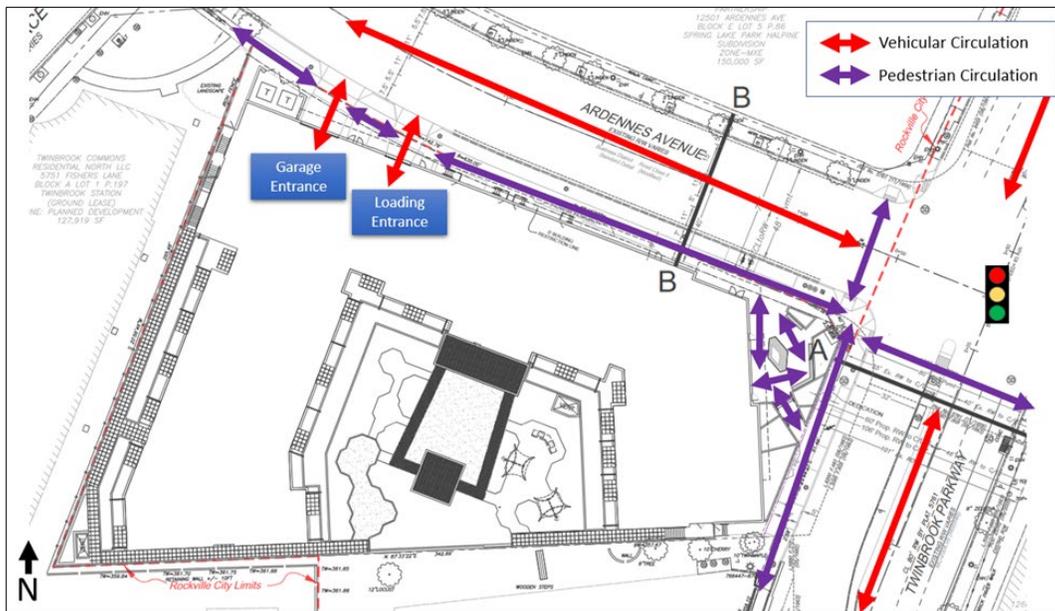


Figure 10: Vehicular and Pedestrian Circulation

ENVIRONMENT

The Project is designed for compliance with both the Multi-Family Energy Star Certification as well as the National Green Building Standard, Silver level and includes a green roof to help manage stormwater.

Development of this Property will result in an afforestation requirement of 0.23 acres. The afforestation requirement will be met off-site in a forest bank or by payment of fee-in-lieu. The Applicant has submitted a variance request to allow for the removal of the National Champion Crabapple Tree. The Applicant is making arrangements to preserve the germplasm of the tree through propagation of cuttings, as the genetic materials of old trees is considered important to save.

SECTION 4: COMMUNITY OUTREACH

The Applicant has complied with all submittal and noticing requirements. A virtual pre-submittal public meeting was held on September 11, 2023 related to the Subject Applications. A few attendees expressed support for the Project and attendees asked the Applicant team questions about:

- Project affordability;
- The community room;
- Coordination with the City of Rockville; and
- The approval process.

As of date of this Staff Report, no correspondence has been received about the Applications.

SECTION 5: SKETCH PLAN 32018020A FINDINGS AND ANALYSIS

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Site Plan review. Section 59-7.3.3.E of the Zoning Ordinance states: “To approve a sketch plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The sketch plan must:”

1. Meet the objectives, general requirements, and standards of this Chapter;

a) Development Standards

Table 1: 12500 Ardennes Sketch Plan Data Table for CR-2.0, C-1.5, R-2.0, H-145T Zone, Optional Method, Section 59.4.5.4

| Development Standard | Permitted/ Required | Approved 320180200 | Proposed 32018020A |
|---|--------------------------------|-------------------------------|-------------------------------|
| Tract Area | n/a | 75,272 sf | No change |
| Tract Area - Prior Dedication | n/a | 18,032 sf | No change |
| Tract Area - Proposed Dedication | n/a | 495 sf | No change |
| Site Area | n/a | 56,745 sf | No change |

| Development Standard | Permitted/ Required | Approved 320180200 | Proposed 32018020A |
|--|--------------------------------|-------------------------------|-------------------------------|
| <u>Mapped Density (max)</u> | | | |
| Residential | 150,544 sf/2 FAR | 150,544 sf/2 FAR | No change |
| Commercial | 112,908/1.5 FAR | 0 sf | |
| Total | 150,544 sf/2 FAR | 150, 544 sf/2 FAR | |
| MPDU Requirement | 12.5% (min) | 15% | 25% |
| MPDU Bonus Density | n/a | 48,174.08 sf | No change |
| Total Density with MPDU bonus | n/a | 198,718 sf/2.64 FAR | No change |
| Building Height (max) | 145 ft | 100 ft | No change |
| Public Open Space (min) | 5% (2,837 sf) | 5.6% (3,207) sf | 5% (2,837 sf) |

b) Intent of the Zone

i. Implement the recommendations of applicable master plans

The Project implements the recommendations of the 2009 *Twinbrook Sector Plan* and *Thrive Montgomery 2050*.

Sector Plan

The Subject Property is located within the 2009 *Twinbrook Sector Plan* (Sector Plan), at the southwest corner of the intersection of Twinbrook Parkway and Ardennes Avenue. It is within a quarter of a mile of the Twinbrook Metro Station and is located within the Metro Core Area 2 of the Sector Plan.

The 2009 Sector Plan rezoned the site to TMX-2. The Property is currently zoned CR-2.0, C-1.5, R-2.0, H-145T pursuant to the Countywide District Map Amendment, approved on July 15, 2014 and effective on October 30, 2014. The Sector Plan provides the following guidance for properties within Metro Core Area 2:

Redevelopment density and mixed-uses should continue the Twinbrook Station pattern of buildings oriented to the street and create pedestrian connections. The full 2.0 FAR is appropriate in this area, but any development above 1.5 must be applied to residential uses. The site could also redevelop completely with residential uses at 2.0 FAR and provide MPDUs and workforce housing. (Sector Plan, p.33)

The Sector Plan also recommended that development within the Metro Core Area 2 should continue the neighborhood pattern of street fronting buildings, provide

pedestrian connections to the adjacent Twinbrook Station project and be compatible with the adjacent development within the City of Rockville.

The Application is consistent with the Sector Plan's vision for the Property as it represents redevelopment of this underutilized site with residential uses, including 100 percent affordable housing (25 percent of units will be designated as MPDUs and the remaining units will be another type of regulated affordable housing), and orients the proposed building to the adjacent streets. The Project's design will place the street activating private amenity spaces along Ardennes Avenue and at the intersection of Ardennes and Twinbrook Parkway. The Project's public open space is proposed to be oriented to the Property's northwest corner to maximize visibility and will be designed to be attractive not only to the residents of the Project but also to other area residents commuting to and from the nearby Metro station.

The Sector Plan provided additional design guidance regarding appropriate building heights, promoting structured and shared parking, enhancing pedestrian connections and providing a mix of uses. The proposed building is within the prescribed height limits. Its massing is compatible with the massing of adjacent buildings within the Twinbrook Station Development and its layout screens a 106-spot at-grade parking structure with residential units and amenities lining the streets.

General Plan

Thrive Montgomery 2050 (General Plan) is the county's long-range guide for the development of the community. One of the major elements of the General Plan is the Housing for All chapter, which contains recommendations intended to diversify the housing stock across incomes, building types, and geography (p. 23).

The Application is strongly aligned with policies in the Housing for All chapter and in particular the recommendation to provide more housing of all typologies (p. 121). The Application proposes entirely affordable units through MPDUs and other regulated affordable housing. Page 136 of the General Plan states:

The construction of a wider variety of sizes and types of housing and a focus on affordability and attainability will help diversify the mix of incomes in neighborhoods across the county, improving access to services, amenities, and infrastructure for low- and moderate-income residents, who are disproportionately people of color.

Specific policies from the General Plan that the applicant meets include:

- Increase the number of income-restricted affordable housing units, especially for low-income households with particular attention to high-income areas to ensure that people who work in retail, service and other low-wage-earning employment sectors have the option not to commute. (p. 132)
- Facilitate the development of a variety of housing types in every part of the county but especially in areas near transit, employment, and educational opportunities. (p. 132)

ii. ***Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.***

The Property is currently comprised of an aging office building with an ancillary surface parking lot. The Application proposes redeveloping the site into a pedestrian-friendly project that will incorporate activating ground-floor private amenity uses and multi-family dwelling units adjacent to the Twinbrook Metro Station in accordance with this objective.

iii. ***Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.***

The Project will provide housing opportunities for a range of demographics and income levels. The Application will also allow for important streetscape improvements that enhance pedestrian and bicycle connectivity in and around the Property. No parking is proposed between the building and street frontages.

iv. ***Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.***

The proposed building height of up to 100 feet will be compatible with the adjacent buildings. Surrounding buildings on Higgins Place are between five (5) and six (6) stories in height and the Twinbrook Place office building to the north is seven (7) stories in height. In addition, the Subject Property is approximately eight (8) feet lower in grade than adjacent properties, further ensuring height compatibility.

v. ***Integrate an appropriate balance of employment and housing opportunities.***

The development of multi-family residential uses on the Property will create a more

balanced mix of uses along Twinbrook Parkway. There are a number of commercial office and industrial uses in the vicinity of the Property that generate employment opportunities. Given the proximity of well-established employment uses near the Property, the additional housing provided by the Project will create an opportunity for individuals to live, work, and play in the Twinbrook area. The Project will also offer a variety of housing options through the provision of units at a variety of income levels.

- vi. ***Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.***

The Project will provide the required minimum of 100 public benefit points to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

2. *Substantially conforms to the recommendations of the applicable master plan;*

As described in the finding above, the Sketch Plan substantially conforms to the recommendations of the 2009 *Twinbrook Sector Plan*.

3. *Satisfy any development plan or schematic development plan in effect on October 29, 2014;*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *Under Section 7.7.1.B.5, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, satisfy any green area requirement in effect on October 29, 2014; any green area under this provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014;*

Not applicable, the zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

5. *Achieve compatible internal and external relationships between existing and pending nearby development;*

The Sketch Plan successfully achieves compatibility with the varied uses in its immediate vicinity. The surrounding development (with the exception of the Exxon gas station adjacent to the south) is a mixture of mixed use and commercial developments of similar heights. The proposed building will be wrapping the structured parking with dwelling units and amenities

facing the street. The main courtyard level will be elevated facing south and the two wings of the residential typical floors will be set back slightly from the south property line with minimal fenestration so as not to impact future development nor conflict with the existing amenity spaces of the neighboring building to the southwest.

6. *Provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

As described in the Transportation section of this report, the Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. All vehicular access to the Project will be from Ardennes Avenue. The structured parking garage is proposed in the center of the block in accordance with the Sector Plan recommendations. The placement of vehicular and loading access along the western portion of the Property's Ardennes Avenue frontage will allow for an uninterrupted pedestrian through zone along the remainder of the Property's Ardennes Avenue and Twinbrook Parkway frontages. The Sketch Plan proposes 2,837 square feet of public open space that will supplement the proposed streetscape improvements and contribute to an enhanced pedestrian experience with immediate connections to the Twinbrook Metro Station.

7. *Propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community;*

Taking into account the considerations in Section 59.4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below.

A Project of this size in the CR Zone typically requires 100 points in four categories. However, if a Project provides a minimum of 20% MPDUs, it does not have to satisfy any other public benefit category. The Project provides 25% MPDUs, and the Applicant proposes 190 public benefit points in two categories. Although at the time of Sketch Plan review only an outline of public benefits needs to be approved, the following table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the Project's ability to meet the requirement to provide sufficient benefit points.

Table 2: Public Benefits- Division 59-4.7

| Public Benefit | Maximum Points Allowed | Approved Sketch Plan 320180200 | Proposed Sketch Plan 32018020A |
|---|------------------------|--------------------------------|--------------------------------|
| Transit Proximity | 40 | 40 | 40 |
| Connectivity and Mobility | | | |
| Minimum Parking | 10 | 10 | * |
| Diversity of Uses and Activities | | | |
| Moderately Priced Dwelling Units | N/A | 30 | 150 |
| Quality Building and Site Design | | | |
| Exceptional Design | 10 | 5 | * |
| Structured Parking | 20 | 10 | * |
| Protection and Enhancement of the Natural Environment | | | |
| Building Lot Termination (BLTs) | 30 | 2.4 | * |
| Cool Roof | 10 | 10 | * |
| Total Points | 100 (required) | 107.4 | 190 |
| * Applicant no longer requests points for this public benefit | | | |

TRANSIT PROXIMITY

The entire Property is located one-quarter mile from the Twinbrook Metrorail (level 1) Station and the Applicant requests 40 points as allowed in the Zoning Ordinance.

DIVERSITY OF USES AND ACTIVITIES

Moderately Priced Dwelling Units (MPDUs)

The Applicant anticipates achieving 150 points for providing 25% MPDUs. The Project proposes 12.5% above the minimum amount of MPDUs required. Twelve (12) points are allowed for every percentage point over the required 12.5% MPDUs as demonstrated in the calculation below. Staff supports the Applicant's request based on the following calculation:

$$25\% (\text{percentage MPDUs provided}) - 12.5\% (\text{percentage MPDUs required}) \times 12 = 150 \text{ points}$$

- 8. Establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.**

The proposed development will be constructed in one phase.

SECTION 6: SITE PLAN 820240060 FINDINGS AND ANALYSIS

Section 59.4.5.4.A.1 requires that Optional Method projects in the CR zone receive an approved Site Plan under Section 59.7.3.4 for any development on a property with an approved Sketch Plan.

- 1. *When reviewing an application, the approval findings apply only to the site covered by the application.***

The findings herein apply only to the Subject Property.

- 2. *To approve a Site Plan, the Planning Board must find that the proposed development:***

- a) *satisfies any previous approval that applies to the site;***

The proposed development satisfies Sketch Plan No. 320180200, as amended concurrently with this Site Plan Application.

- b) *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;***

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c) *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;***

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d) *satisfies applicable use standards, development standards, and general requirements under this Chapter;***

- i. *Development Standards***

Table 3: 12500 Ardennes Sketch Plan Data Table for CR-2.0, C-1.5, R-2.0, H-145T Zone, Optional Method, Section 59.4.5.4

| Development Standard | Permitted/ Required | Proposed |
|---|---------------------|---------------------|
| Tract Area | n/a | 75,272 sf |
| Tract Area - Prior Dedication | n/a | 18,032 sf |
| Tract Area - Proposed Dedication | n/a | 495 sf |
| Site Area | n/a | 56,745 sf |
| <u>Mapped Density (max)</u> | | |
| Residential | 150,544 sf/2.0 FAR | 150,544 sf/2.0 FAR |
| Commercial | 112,908 sf/1.5 FAR | 0 sf |
| Total | 150,544 sf/2.0 FAR | 150, 544 sf/2.0 FAR |
| MPDU Requirement | 12.5% min | 25% |
| MPDU Bonus Density | n/a | 48,174.08 sf |
| Total GFA/FAR with MPDU bonus | n/a | 198,718 sf/2.64 FAR |
| Building Height | 145 ft | 100 ft |
| Public Open Space (min) | 5% (2,837 sf) | 5% (2,837 sf) |
| <u>Minimum Setbacks</u> | | |
| Front/Side Street | 0 | 5 ft |
| Side | 0 | 0 |
| Rear | 0 | 0 |

ii. **Division 4.7 Optional Method Public Benefits**

A Project of this size in the CR Zone typically requires 100 points in four categories. However, if a Project provides a minimum of 20% MPDUs, it does not have to satisfy any other public benefit category. The Project provides 25% MPDUs and the Applicant proposes 190 public benefit points in two categories as follows:

Table 4: Public Benefit Calculations- Division 59-4.7

| Public Benefit | Maximum Points Allowed | Proposed |
|---|------------------------|------------|
| Transit Proximity | 40 | 40 |
| Diversity of Uses and Activities | | |
| Moderately Priced Dwelling Units | N/A | 150 |
| Total Points | 100 (required) | 190 |

TRANSIT PROXIMITY

The entire Property is located one-quarter mile from the Twinbrook Metrorail (level 1) Station and the Applicant requests 40 points as allowed in the Zoning Ordinance.

DIVERSITY OF USES AND ACTIVITIES

Moderately Priced Dwelling Units (MPDUs)

The Applicant anticipates achieving 150 points for providing 25% MPDUs. The Project proposes 12.5% above the minimum amount of MPDUs required. Twelve (12) points are allowed for every percentage point over the required 12.5% MPDUs as demonstrated in the calculation below. Staff supports the Applicant's request based on the following calculation:

$25\% (\text{percentage MPDUs provided}) - 12.5\% (\text{percentage MPDUs required}) \times 12 = 150 \text{ points}$

iii. **Division 59-6 General Development Standards**

(1) Division 6.1 Site Access

Vehicular access to the proposed Project is from Ardennes Avenue, with a consolidated curb cut with a pedestrian refuge leading to the parking garage and the loading area. Pedestrian access is also provided from Ardennes Avenue and Twinbrook Parkway via improved frontages, including sidewalks.

(2) Division 6.2 Parking, Queuing and Loading

Vehicle parking is provided via the parking garage accessed from Ardennes Avenue. The parking garage will have 106 parking spaces, which meets the minimum parking required and is well below the maximum of 286 parking spaces.

Per Section 59.6.2.8, as a development with over 50 dwelling units, one off-street loading space is required. This space is accessed using a separate driveway access along Ardennes located just east of the parking garage driveway.

Long-term bicycle parking is provided in a bike room located within the parking garage. Short-term bicycle parking is provided on Ardennes Avenue and Twinbrook Parkway via bike racks located near the building entrance plaza.

Table 5: 12500 Ardennes Avenue Vehicle and Bicycle Parking

| Vehicle Parking | | | | |
|------------------------|--------------|---|--|------------------------------------|
| Use | Units | Minimum Required | Maximum Allowed | Proposed |
| Efficiency | 26 | 13 | 26 | 13 |
| 1 Bedroom | 104 | 52 | 130 | 52 |
| 2 Bedroom | 71 | 35 | 106 | 35 |
| 3 Bedroom | 12 | 6 | 24 | 6 |
| TOTAL | 213 | 106 | 286 | 106 |
| Bicycle Parking | | | | |
| Use | Units | Short-term Bike Parking Required | Long-term Bike Parking Required | Total Bike Parking Required |
| Residential | 213 | 5 | 95 | 100 |

(3) Division 6.3 Open Space and Recreation

The urban plaza located at the corner of Ardennes Avenue and Twinbrook Parkway comprises 5% of the Site and includes a mixture of hardscape and greenspace. The plaza will provide a transition between the busy intersection and the residential lobby. While access from adjacent sidewalks is facilitated and encouraged, the site elements provide buffering from passing traffic while negotiating the necessary change in grade.

The proposed recreation facilities meet the requirements of the Recreation Guidelines according to the Recreation Facilities Data table provided with the Application. The recreation facilities include indoor community space, an interior courtyard, an urban plaza, seating and a grilling area.

(4) Division 6.4 General Landscaping and Outdoor lighting

Proposed landscaping and lighting, as well as other site amenities, will enhance the streetscape along Ardennes Avenue and Twinbrook Parkway. The facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project will transform the existing streetscape along the Ardennes Avenue and Twinbrook Parkway frontages with new street trees and improved, wider sidewalks and street lighting. The on-site lighting will limit the necessary light levels to streets and sidewalks.

e) Satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

DPS approved a Combined Stormwater Management Concept/Site Development Stormwater Management Plan on April 1, 2020, and reconfirmed the approval by email dated January 16, 2024. Stormwater management goals will be met via microbio retention planter boxes and a green roof. Additional treatment is provided via a structural underground filter. Due to site constraints, full treatment could not be provided, so DPS granted the Applicant's request for a partial waiver of quantity.

ii. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for the accompanying Forest Conservation Plan F20240250.

f) Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The proposed parking, circulation patterns, building massing, open spaces and site amenities will be safe, adequate and efficient. The structured parking is wrapped with dwelling units and amenities and shielded from view of the street and neighboring buildings. Vehicular access to parking and loading is from a logical location at the furthest point from the intersection on Ardennes Avenue and circulation patterns around the Project are enhanced with improved sidewalks, street trees, and lighting.

The main courtyard amenity level will be elevated and facing south, while the two wings of the building will be set back slightly from the southern property line with minimal fenestration to minimize impact on future development and reduce conflict with the existing amenity space of the neighboring building to the west. The building massing provides an appropriate street edge along the adjacent roads and the height is consistent with existing and proposed surrounding developments.

The proposed urban plaza open space, located at the prominent intersection of Ardennes Avenue and Twinbrook Parkway, is a well-located amenity for residents and pedestrians in the area. The plaza is easily accessible by pedestrians and cyclists and

will provide activation along the Property frontage in the vicinity of the Twinbrook Metro Station. The plaza will also provide a transition between the busy intersection and the residential lobby. Other proposed site amenities will be internal to the Project to provide safe recreation space for residents.

g) Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

As described in the Sketch Plan findings section of this report, the Project substantially conforms with the recommendations of the 2009 *Twinbrook Sector Plan* and *Thrive Montgomery 2050*.

h) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;

The Site Plan will be served by adequate public services and facilities as described below.

i. Schools

Overview and Applicable School Test

Site Plan 820240060 for 12500 Ardennes Avenue is scheduled to come before the Planning Board on February 22, 2024. Therefore, the FY24 Annual School Test, approved by the Planning Board on June 15, 2023 and effective July 1, 2023 is applicable. This Site Plan proposes 213 multifamily high-rise units.

School Adequacy Test

The Project is served by Twinbrook ES, Julius West MS and Richard Montgomery HS. Based on the FY24 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the Tables 6 and 7.

Table 6: Projected School Totals, 2027

| | Program Capacity | Enrollment | %Utilization | Surplus/ Deficit |
|------------------------------|-------------------------|-------------------|---------------------|-------------------------|
| Twinbrook ES | 629 | 400 | 63.6% | +229 |
| Julius West MS | 1,432 | 1,354 | 94.6% | +78 |
| Richard Montgomery HS | 2,250 | 2,150 | 95.6% | +100 |

Table 7: Adequacy Ceilings

| | Adequacy Status | Tier 1 | Tier 2 | Tier 3 |
|------------------------------|------------------------|---------------|---------------|---------------|
| Twinbrook ES | No UPP | 314 | 355 | 450 |
| Julius West MS | No UPP | 204 | 365 | 580 |
| Richard Montgomery HS | No UPP | 280 | 550 | 888 |

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY24 Annual School Test, Twinbrook ES, Julius West MS and Richard Montgomery HS do not require any UPP as identified in Table 7. If the project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the Project, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of 213 multifamily high-rise units that are not age-restricted, the Project is estimated to generate the following number of students based on the subject property’s location within an Infill Impact Area:

Table 8: Estimated Student Enrollment Impacts.

| Type of Unit | Net Number of Units | ES Generation Rates | ES Students Generated | MS Generation Rates | MS Students Generated | HS Generation Rates | HS Students Generated |
|--------------|---------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
| SF Detached | 0 | 0.202 | 0.000 | 0.096 | 0.000 | 0.141 | 0.000 |
| SF Attached | 0 | 0.161 | 0.000 | 0.087 | 0.000 | 0.126 | 0.000 |
| MF Low-rise | 0 | 0.065 | 0.000 | 0.030 | 0.000 | 0.040 | 0.000 |
| MF High-rise | 213 | 0.039 | 8.307 | 0.016 | 3.408 | 0.018 | 3.834 |
| TOTALS | 213 | | 8 | | 3 | | 3 |

As shown in Table 8, on average, this project is estimated to generate 8 elementary school students, 3 middle school students and 3 high school students. The estimated number of students generated do not exceed the adequacy ceilings identified for each school in Table 7. Therefore, no additional UPPs are required, and neither are partial payments across multiple UPP tiers.

ii. **Roads and Other Transportation Facilities**

Per the 2009 *Twinbrook Sector Plan*, the right-of-way on Twinbrook Parkway is 120-foot wide. The Applicant is dedicating land for a total of 60-feet from the centerline of Twinbrook Parkway to satisfy the right-of-way requirements. The Project will improve Twinbrook Parkway pedestrian facilities with an eight-foot sidewalk and a five-foot buffer. Tree pits will be installed in the buffer, allowing for up to a thirteen-foot sidewalk where the tree pits are not present.

The 2018 *Bicycle Master Plan* recommends two-way separated bike lanes on the west side of Twinbrook Parkway, fronting the Subject Property, and a protected intersection at Ardennes Avenue and Twinbrook Parkway. However, due to limited right-of-way on Twinbrook Parkway, the Applicant is providing a contribution of \$48,742.15 (CIP # 507596) to MCDOT to fund nearby bikeway infrastructure in lieu of constructing the bikeway improvement.

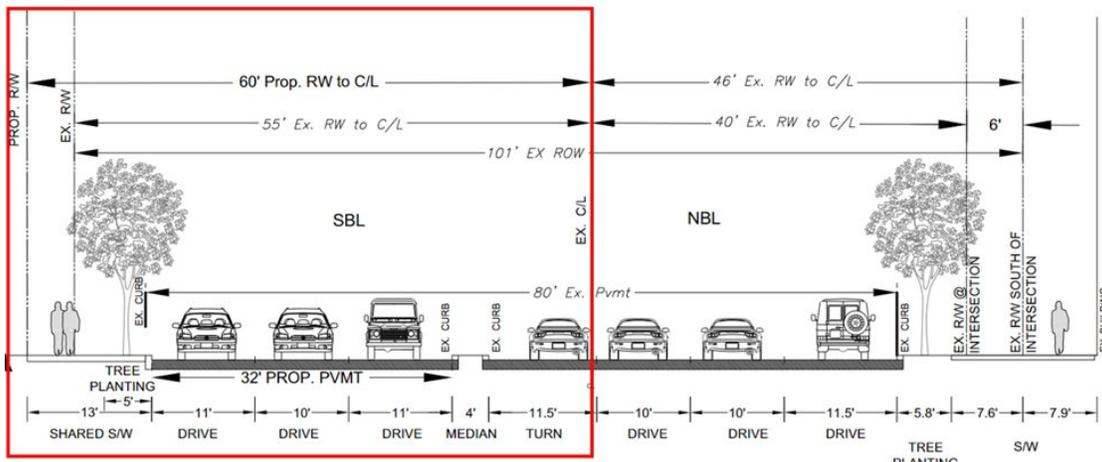


Figure 11: Twinbrook Parkway Cross-Section

Ardennes Avenue is maintained by the City of Rockville. The Applicant is retaining the existing bike lane and providing an eight-foot sidewalk with a seven-foot landscape buffer along the Property frontage with Ardennes Avenue.

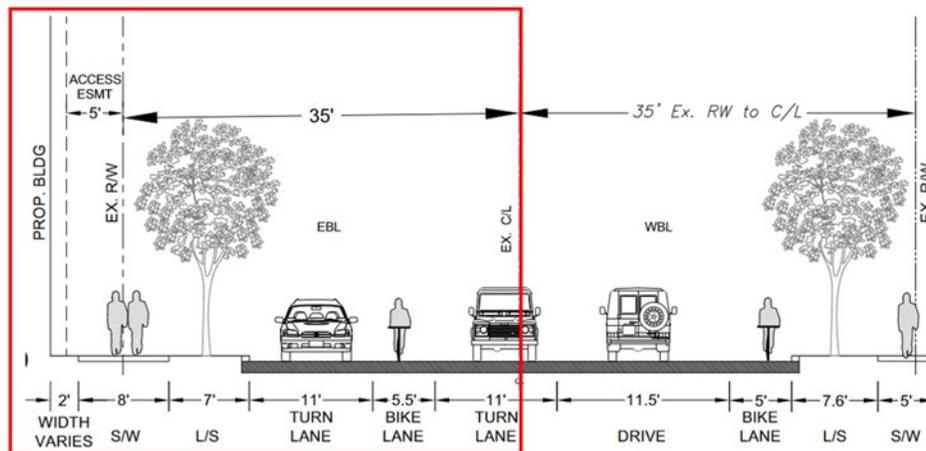


Figure 12: Ardennes Avenue Cross-Section

Transit

The Subject Property is well served by transit. The Twinbrook Metro Station is located approximately a quarter-mile to the southwest, which provides access to the Metro Red Line. Additionally, there are bus stops located just north of the Site along Twinbrook Parkway. These stops are served by the following routes:

- Ride On Route 26 provides service between Montgomery Mall Transit Center and the Glenmont Metro Station.
- Ride On Route 45 provides service between Rockville Regional Transit Center and the Twinbrook Metro Station.

There are also bus stops located to northwest along Ardennes Avenue that are served by Ride On Route 44 that provides service between the Rockville Metro Station and Twinbrook Metro Station.

iii. **Local Area Transportation Review (LATR)**

As a proposed development with 213 units, the Project is estimated to generate 127 total peak hour person trips in the morning and 129 total peak hour person trips in the evening. After accounting for peak hour person trips currently associated with the existing 21,700 square feet of office on the Site, (59 morning peak hour person trips and 62 evening peak hour person trips), the Project is estimated to generate 68 net new morning peak hour person trips and 67 net new evening peak hour person trips. As a result of the estimated transportation impact, the Project must submit a Transportation Impact Study with the Site Plan to satisfy the Local Area Transportation Review (LATR).

Table 9: 12500 Ardennes Avenue Estimated Person Trip Generation

| Land Use | Morning Peak Hour | Evening Peak Hour |
|---|-------------------|-------------------|
| Existing (credit) | | |
| Office (LUC 710) 21,700 sq. ft. | 59 | 62 |
| Proposed | | |
| Residential Mid-Rise Multifamily (LUC 221) 213 units | 127 | 129 |
| Net New Person Trips | | |
| | 68 | 67 |

Source: Transportation Impact Study by Wells & Associates dated December 2023, amended by staff

Travel Mode Adequacy Test

The 2020-2024 *Growth and Infrastructure Policy* requires evaluation of all transportation modes, including: auto-drive, transit, walking and biking. Mode-specific adequacy tests are required for any project estimated to generate 50 or more net new peak hour person trips. The only exception is that projects within Red

Policy Areas (such as the Subject Site) are not required to evaluate motor vehicle adequacy. The adequacy tests for transit, pedestrians, and bicyclists are still required. The mode split of the total person trips for the Project are summarized by travel mode in Table 10. The Project’s estimated transportation impact necessitates that the Transportation Impact Study evaluate three (3) of the four (4) travel mode adequacy tests since the Subject Site is located in the Twinbrook Red Policy Area.

Table 10: 12500 Ardennes Avenue Trip Estimate by Mode

| | Total Person-Trips | Auto-Driver | Transit | Pedestrian ² | Bicycle |
|-------------------|--------------------|-------------|---------|-------------------------|---------|
| Morning Peak Hour | 127 | 67 | 12 | 27 | 15 |
| Evening Peak Hour | 129 | 67 | 13 | 28 | 15 |

Source: Transportation Impact Study by Wells & Associates dated December 2023, amended by staff

- As the Site is located within a Red Policy area, a motor vehicle adequacy test is not required for the Project.
- Transit system adequacy was evaluated by inventorying two bus stops located within 500 feet of the Property. Where shelters and associated amenities are not provided, the Applicant must install the standard amenities in coordination with MCDOT. There are five bus stops within the study area. Only one of the existing bus stops has a shelter, however, construction of bus shelters is infeasible due to limited right-of-way to accommodate a stop.
- Pedestrian system adequacy was evaluated within 400 feet of the Property. Mitigation will be required to achieve a Pedestrian Level of Comfort (PLOC) greater than 2 (Somewhat Comfortable), and/or deficiencies identified for streetlamps within the scoped boundary. The Pedestrian system adequacy also requires mitigation for ADA deficiencies identified within 200 feet of the Property. The PLOC along Twinbrook Parkway is either uncomfortable or undesirable. However, limited right-of-way makes it infeasible to add the necessary buffer between the sidewalk and travel lanes to improve the conditions. The proposed project will address the undesirable conditions along the Property frontage.

There are several non-compliant ADA ramps. Some of these will be addressed as part of the development frontage improvements. However, the ADA ramps located beyond the frontage cannot be addressed due to limited right-of-way.

² Pedestrian trips are calculated by adding non-motorized and transit trips.

Four streetlight poles do not meet current County standards. One of these will be addressed as part of the proposed development along the Property frontage. However, the others cannot be addressed due to limited right-of-way.

- Bicycle system adequacy was evaluated by analyzing bikeways within 400 feet of the Property. Mitigation will be required to achieve a Level of Traffic Stress 2 (LTS-2) or lower, consistent with the *Bicycle Master Plan*. Twinbrook Parkway is identified as having a high level of traffic stress. Under Section 8 of 2023 *Local Area Transportation Review Guidelines* (LATR Proportionality Guide), the maximum cost of mitigation improvements the Applicant is required to construct or fund for a project consisting of 213 units is not to exceed \$1,472,831 (see calculation below).

*LATR Proportionality Guide = (Extent of Development) (LATR Proportionality Guide Rate)
(LATR Proportionality Guide Adjustment Factor)*

$$\$1,472,831 = (213 \text{ units}) (\$15,366) (45\%)$$

However, per the 2023 LATR Guidelines and consistent with Section TA4 of the 2020-2024 *Growth and Infrastructure Policy*, any mitigation payment will be reduced proportionally based on the share of the project's LATR Proportionality Guide that is generated by MPDUs. Since 100% of the units will be MPDUs or otherwise subject to government price/rent controls for at least 15 years, the proportionality guide only applies to construction projects as no mitigation payment can be required.

For the Subject Site Plan, the cost of construction for mitigation projects is not to exceed \$1,472,831. After evaluating the adequacy of each of the required transportation modes, the Applicant identified a comprehensive list of deficiencies, by which a prioritized list of mitigation improvements was submitted to Staff for review. In compliance with the 2023 LATR Guidelines, the final list of prioritized projects was determined by the reviewing agencies. For the proposed development, reviewing agencies determined that only one mitigation project, listed in Table 11 and shown on Figure 13, could be feasibly constructed. Construction of this mitigation project is a condition of Site Plan approval.

Table 11: 12500 Ardennes Avenue LATR Mitigation Project List

| Map ID | Project Location | Project Description | Construct/Mitigation Payment | Project Cost |
|--------------------------------------|---|--|------------------------------|-----------------|
| 1 | South leg of the Twinbrook Parkway/Ardennes Avenue intersection | Widen the median to 6-feet to provide a pedestrian refuge. | Construct | \$50,094 |
| Construction Subtotal | | | | \$50,094 |
| MPDU Credit ¹ | | | | \$1,422,737 |
| Adjusted Mitigation Payment Subtotal | | | | \$0.00 |
| Total | | | | \$50,094 |
| Proportionality Guide | | | | \$1,472,831 |

¹ Consistent with Section TA4 of the 2020-2024 *Growth and Infrastructure Policy*, any mitigation payment will be reduced proportionally based on the share of the project’s LATR Proportionality Guide that is generated by MPDUs.

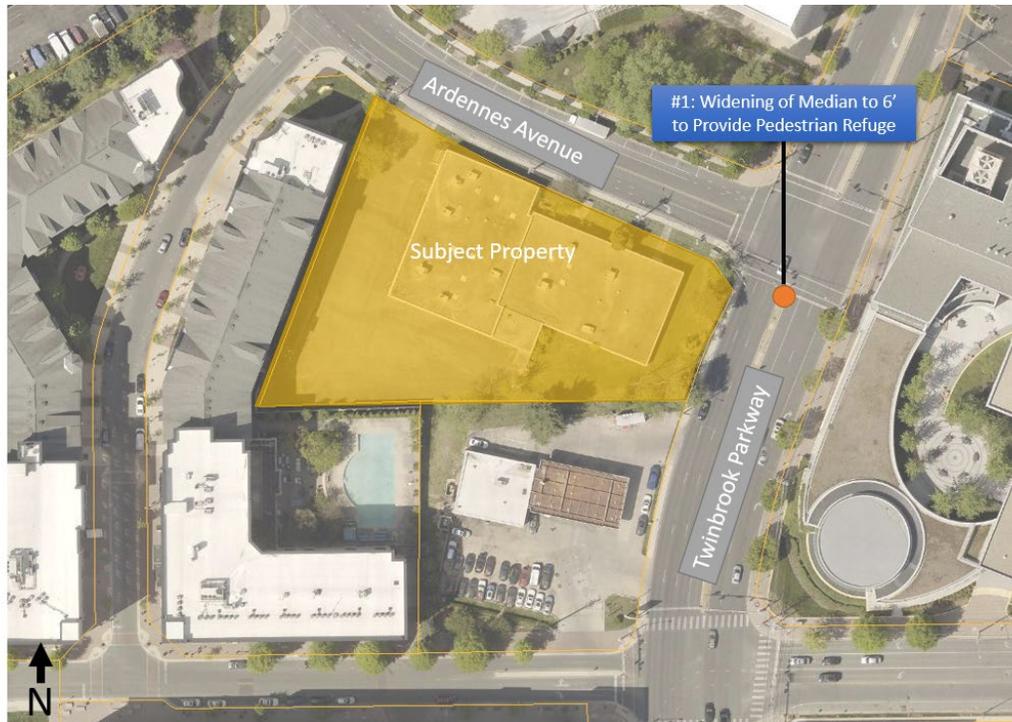


Figure 13: Map of Off-site LATR Mitigation Projects

As conditioned, the off-site mitigation project must be permitted and bonded for construction before the issuance of the first above grade building permit. Montgomery County Planning, MCDOT, and MDOT SHA staff reviewed the TIS and approved the mitigation project list. Therefore, the Applicant has satisfied the requirements of the LATR, and the public transportation facilities are adequate for the Site.

iv. ***Other Public Services and Facilities***

The Property is served by public water and sewer and is assigned WSSC categories W-1 and S-1. The existing water and sewer lines will be adequate to serve the additional development proposed by the Project. Dry utilities including electricity, gas, and telephone are also available to the Property. Lastly, appropriate emergency access measures will be developed providing adequate facilities for fire and rescue personnel to serve the Project.

i) on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and

Not applicable, the Subject Property is not in a Rural Residential or Residential Zone.

j) on a property in all other zones, is compatible with existing, approved or pending adjacent development.

The proposed Project successfully achieves compatibility with the varied uses in its immediate vicinity. The surrounding development, with the exception of the Exxon gas station directly south of the Property, is a mixture of mixed-use and commercial developments of similar heights. The proposed building will be wrapping the main level of the parking with dwelling units and amenities facing the street.

The proposed building height of up to 100 feet will be compatible with the height of adjacent buildings. The development of multi-family residential uses on the Property will create a more balanced mix of uses along Twinbrook Parkway. There are several commercial office and industrial uses in the vicinity of the Property that generate employment opportunities. Given the proximity of well-established employment uses near the Property, the additional housing provided by the Project will create an opportunity for individuals to live, work, and play in the Twinbrook area. The Project will also offer a variety of housing options through the provision of a 100% affordable housing project.

Lastly, the Application is proposing an enhanced streetscape and a well-designed urban plaza that will contribute to an enhanced pedestrian experience with immediate connections to the Twinbrook Metro Station.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.**

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.**

Not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

SECTION 7: FOREST CONSERVATION PLAN F20240250 FINDINGS AND ANALYSIS

All Forest Conservation Law, Chapter 22A requirements are satisfied.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. The Forest Conservation Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law³, as conditioned and described below.

Natural Resource Inventory/Forest Stand Delineation Plan

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved on November 1, 2023 (NRI/FSD No. 420240550). The Property contains no streams or stream buffers, wetlands or wetland buffers, hydraulically adjacent steep slopes, 100-year floodplains, or known habitats of Rare, Threatened and Endangered species. This Property drains to the Lower Rock Creek, which is a Maryland State Use Class I stream. This watershed is not in a Special Protection Area. The submitted Site Plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

Forest Conservation Plan

A combined Preliminary/Final Forest Conservation Plan for this Property was approved with Site Plan No. 820200080, but the approvals expired in August 2022 because a Certified Site Plan was not submitted within the required timeframe. Final Forest Conservation Plan ("FFCP") No. F20240250 was submitted for review and approval concurrently with Site Plan No. 820240060 (Attachment A). The total net tract area for forest conservation purposes includes the tract area of 1.30 acres and 0.26 acres of off-site disturbance for a total of 1.56 acres. The Property is zoned CR-2.0, C-1.5, R-2.0, H-145T and is classified as Mixed-Use Development ("MDP") as defined in Section 22A-3 of the FCL and specified in the Trees Technical Manual. There is no forest existing on the Property. Based on the net tract area of 1.56 acres and the CR zoning designation, development of this Property will result in an afforestation requirement of 0.23 acres. The afforestation requirement will be met off-site in a forest bank or by payment of fee-in-lieu.

Variance

The Property has one (1) specimen tree on it – a 35.6-inch diameter breast height (DBH) crabapple (*Malus angustifolia*) (Figure 3). This tree has been recognized as the National Champion crabapple tree by American Forests. While this tree was previously approved (by Site Plan No. 820200080) for

³ Based on the initial submittal date for the Subject Application, the Forest Conservation Plan is subject to the Forest Conservation Law in effect on April 3, 2023.

preservation by transplanting on an alternate site, FFCP No. F20240250 includes the removal of this tree.

The Applicant has submitted a variance request to allow for the removal of this tree. Staff supports this request due to the current condition of the tree. Since the tree was initially assessed for transplanting, the health of the tree has significantly declined. An arborist evaluated the tree in July 2023 to assess its health and potential for transplanting. The arborist concluded that the tree is in very poor condition and would not survive transplanting. The Applicant is making arrangements to preserve the germplasm of the tree through propagation of cuttings, as the genetic materials of old trees is considered important to save. These cuttings will be raised into new trees for planting, propagating the genetic material. The details will be worked out by the Applicant based on the timing of the development.

Unwarranted Hardship

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its Property. In this case, the Protected Tree is located close to the existing development and will be significantly impacted during the demolition process. Any new development, with associated site work, would cause even greater impacts. Leaving the Protected Tree in an undisturbed state would deny the Applicant reasonable and significant use of its Property for a residential project.

Variance Findings

The following determinations are based on the required findings for granting of the requested variance:

1. Will not confer on the applicant a special privilege that would be denied to other applicants.

Removal of the crabapple is not a special privilege that would be denied to other applicants. The tree is in very poor condition and will be significantly impacted by the demolition of the existing building. Given the rapid decline of the tree, the viability of the tree is questionable, even without any construction activities.

2. Is not based on conditions or circumstances which are the result of the actions by the applicant.

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions,

the location of the tree, and the need for additional right-of-way dedication for Twinbrook Parkway, pushing the public utility easement and necessary sidewalk safety improvements to within a few feet of the trunk of the tree, all within the critical root zone.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the existing conditions and not as a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Tree being removed is not located within a stream buffer, wetland, or a special protection area. Mitigation trees will be planted on the Subject Property to replace the lost form and function of Protected Tree being removed.

Mitigation for Trees Subject to the Variance Provisions

The FFCP includes mitigation for the removal of the 35.6-inch DBH crabapple. Per Planning Board policy, replacement is required at a ratio of approximately 1-inch caliper for every 4 inches removed using trees that are a minimum of 3 caliper inches in size. This would require the planting of 9 caliper inches of native trees to replace the Protected Tree. The Applicant is proposing to plant five (5) native trees to mitigate for the loss of the 35.6-inch crabapple.

Recommendation on the Variance

Staff recommends approval of the variance request.

SECTION 8: CONCLUSION

As conditioned, Sketch Plan Amendment No. 32018020A, Site Plan No. 820240060, and Forest Conservation Plan No. F20240250 each satisfy the applicable requirements of the County Code. Therefore, Staff recommends approval of Sketch Plan Amendment No. 32018020A, Site Plan No. 820240060, and Forest Conservation Plan No. F20240250 with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Sketch/Site/FCP Plan

Attachment B: Prior Approvals

Attachment C: Agency Letters

Attachment D: Affidavit Regarding Community Meeting and Meeting Minutes